

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION**

**MICHAEL SHANE STEPHENS**

**PLAINTIFF**

**VERSUS**

**CIVIL ACTION NO. 1:07cv96LGJMR**

**HARRISON COUNTY, MISSISSIPPI;  
SHERIFF GEORGE H. PAYNE, JR.;  
AND UNKNOWN OFFICERS IN THEIR  
INDIVIDUAL AND OFFICIAL CAPACITY**

**DEFENDANTS**

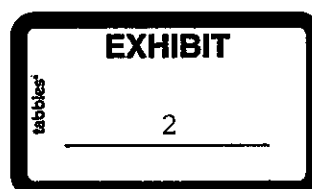
STATE OF MISSISSIPPI

COUNTY OF HARRISON

**AFFIDAVIT OF TONY SAURO**

PERSONALLY CAME AND APPEARED BEFORE ME the undersigned authority in and for the County and State aforesaid, the within named, TONY SAURO, who, after first being duly sworn by me on his oath, did depose and state the following:

1. My name is Tony Sauro, and I am over the age of twenty-one (21) years. I have personal knowledge of the matters and facts contained in this Affidavit and I am competent to testify to the matters stated herein.
2. At the time of this February 5, 2004 incident, I was a deputy with the Harrison County Sheriff's Department. My rank at the time was Lieutenant. I am currently a Major with the Harrison County Sheriff's Department.
3. On the evening of February 5, 2004, at approximately 21:54 hours, I was performing my duties as a criminal interdiction patrol unit patrolling Highway I-10 westbound. I was then notified, via police radio, that Harrison County Deputy Gene Dedeaux was in pursuit of a



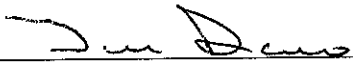
vehicle traveling Highway I-10 westbound.

4. Soon after receiving this radio transmission, I witnessed Deputy Dedeaux's car approaching me from behind. I then activated my blue lights as the two vehicles approached me from behind. The suspect vehicle, later identified as a 1990 Mitsubishi Mirage (VIN #JA3AY26A8XU021771), started to pass me on the passenger side of my patrol car. The suspect car attempted to ram my vehicle and it subsequently lost control, spinning out and coming to a stop on the grassy area on the right side of Highway I-10 westbound. The driver of this vehicle then spun out and continued westbound on Highway I-10.
5. I then attempted to pass the fleeing vehicle from the left-hand lane and when I came within fifteen feet from the rear of this vehicle, the driver swerved to keep me from passing. I then pulled in behind Harrison County Deputy Gene Dedeaux and continued to follow as both patrol cars pursued the fleeing vehicle.
6. As we entered Hancock County, Hancock County Deputies led by Hancock County Deputy Esposito took over the lead in the pursuit of this vehicle. Hancock County Deputies then put out "stop sticks" which disabled the fleeing vehicle, causing it to run off to the right-hand shoulder of the Highway I 10 westbound at approximately the 2-mile marker.
7. Immediately after the suspect vehicle came to a stop, Hancock County Esposito drove his patrol car onto the right-hand highway shoulder, slid through the mud and sideswiped the side of the stopped fleeing vehicle. The driver of the fleeing vehicle then exited his vehicle and fled into the wooded area.
8. Harrison County Deputy Gene Dedeaux and I noticed from the marking on the Hancock County Deputy's vehicle that this was a K-9 unit. Deputy Dedeaux and I decided to stay by

the roadway and wait as we were under the impression that the Hancock Deputy Esposito had a police dog assisting in the search for the suspect.

9. Hancock County Deputies then escorted the suspect (later identified as Michael Shane Stephens) out of the woods onto the shoulder of the highway whereupon they turned custody over to Harrison County Deputy Gene Dedeaux, who then turned custody over to the Harrison County Adult Detention Center.

I certify the above declaration is true and correct under the penalty of perjury.

  
Tony Sauro - Affiant

Sworn to and subscribed before me on this the 23 day of April, 2008.

  
Notary Public

My Commission Expires:

10-19-09

(SEAL)

